

RULE IMPACT STATEMENT

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 17. WATER QUALITY

(A) PURPOSE OF THE PROPOSED RULE:

The proposed rule amendments removes and revokes duplicate language from statutes; adds consultant utilizing soil testing and documentation to new facility minimum for CAFO; corrects spelling error; adds a late fee for CAFO license renewals; adds requirement for waste retention structure and sludge accumulation survey for CAFO liner criteria; adds alternative method process for carcass disposals for CAFOs; changes owner to PPP for best management practices for CAFOs; adds a late free for PFOs registration renewals; adds a requirement for PFO to maintain a current NMP and process of submitting one; adds a requirement for the Department to be notified of a transfer of ownership; adds alternative to barn requirements for structures of PFO; adds phosphate and nitrate to land application soil analysis; adds a requirement for an PFO owner to notify the Department of runoff that reaches waters of the State; updates reference to OSU extension service for education courses; updates the definition of private poultry waste applicator; adds a requirement for persons selling more than ten tons of waste a year to obtain an applicator's certificate; adds a new rule for land application sample requirements; adds a requirement for a fire prevention and control to composting plans; adds requirements for retention structure inspections and maintenance for composting facilities; and adds a requirement for a licensed compost facility to submit updated plans prior to changes to operation or source.

(B) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

The proposed rules will primarily affect owners and operators of feeding operations, poultry waste applicators, and compost facilities.

(C) PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:

The proposed rules will assist in ensuring beneficial use of feeding operations, poultry waste applicators, and compost facilities while preventing adverse effects to the waters of the state of Oklahoma and shall benefit all citizens of the state.

(D) DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:

Owners and operators of concentrated feeding operations and compost facilities will benefit from amended regulations because it removes duplicate language and clarifies requirements.

(E) PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:

There is no increased cost to the agency.

(F) DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:

No economic effect on any political subdivision is anticipated by the proposed rule amendments.

(G) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

No adverse impacts on small businesses are anticipated.

(H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:**

No less costly or non-regulatory method is available.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The proposed rule amendments will not detrimentally affect the public health, safety, and environment.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

No detrimental effect upon the public health, safety, or environment is anticipated with the implementation of the proposed rule amendments.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on September 26, 2025.